



Entered on Docket  
September 16, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE  
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR  
Chapter 11

**Order Sustaining First Omnibus Objection  
Of USACM Trust To Proofs Of Claim  
Based Entirely Upon Investment In The  
Fox Hills 216, LLC Loan**

Hearing Date: August 30, 2011  
Hearing Time: 10:30 a.m..

The Court having considered the "First Omnibus Objection Of USACM Trust To Proofs Of Claim Based Entirely Upon Investment in The Fox Hills 216, LLC Loan," ("Fox Hills Loan") [DE 8612] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the

1 Claims listed on **Exhibit A** does not affect the direct lenders' right to repayment by the  
2 borrower or from the collateral securing the Fox Hills Loan; and good cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8612] is sustained; and  
5 2. The claims listed on **Exhibit A** attached are disallowed in full because those  
6 claims are based entirely upon an investment in the Fox Hills Loan.

7  
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9  
10 **LEWIS AND ROCA LLP**

11 By /s/ John Hinderaker (AZ #018024)

12 Robert M. Charles, Jr.

13 John Hinderaker (*pro hac vice*)

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## LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

\_\_\_\_\_ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

\_\_\_\_\_ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: \_\_\_\_\_

\_\_\_\_\_ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:  
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)  
Attorneys for USACM Liquidating Trust

# # #

**USACM Trust  
Fox Hills 216, LLC  
Single Loan Claims**

<b>Claim</b>	<b>Date Claim was Filed</b>	<b>Name</b>	<b>Address</b>	<b>Total Claim Amount</b>	<b>Approximate Amount Subject to Objection Because it Relates to an Investment In the Foxhill 216, LLC Loan</b>
10725-01767	12/13/2006	Acres Corporation PSP	Annemarie Rehberger Po Box 3651 Incline Village, NV 89450	50,000.00	50,000.00
10725-00424	10/3/2006	Action Sports Alliance Usa Inc	* Undeliverable Mail * 311 W Third St Ste C Carson City, NV 89703-4215	150,000.00	150,000.00
10725-02414	1/18/2007	Allen M & Dorothy H Nirenstein 1992 Rev Trust	Dtd 3/4/92 Allen & Dorothy Nirenstein Ttees 403 Woodland Rd Kentfield, CA 94904-2635	101,180.56	50,590.28
10725-02109	1/11/2007	Charles S Boggs Living Trust DTD 8/27/98	Charles S Boggs Teee 406 Pearl St Boulder, CO 80302-4931	50,000.00	50,000.00
10725-01729	12/11/2006	Craig Family Trust DTD 8/10/00	Howard L Craig Trustee 1735 Caughlin Creek Rd Reno, NV 89519	100,000.00	100,000.00
10725-01920	1/10/2007	Dobyne IRA, Leah K	3416 Cantura Bluff Ave North Las Vegas, NV 89031-3577	115,700.00	57,850.00
10725-00671	10/23/2006	Doyle Family Trust DTD 9/23/99	C/O Patrick J & Jill M Doyle Ttees 10770 Osage Rd Reno, NV 89506-8516	100,000.00	100,000.00
10725-00285	10/3/2006	G&L Nelson Limited Partnership	Attn. Gary Nelson 11205 Messina Way Reno, NV 89521	514,624.00	514,624.00
10725-00696	10/23/2006	Green, John R & Loretta Handelman Charitable Remainder Unitrust DTD 5/3/97	1305 Tuolumne Way Oakley, CA 94561	Unknown	Unknown
10725-01464	11/14/2006		C/O Gloria W Handelman Teee 2324 Caserta CT Henderson, NV 89074-5316	501,255.08	501,255.08

**EXHIBIT A**

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